



# **The Impact of Public Safety Realignment: The First Six Months**

**October 2011 through March 2012**

## **A Report of the San Francisco Adult Probation Department**

July 12, 2012



**Wendy S. Still  
Chief Adult Probation Officer**

Prepared by  
Leah Rothstein, MPP  
Research Director, Reentry Division  
San Francisco Adult Probation Department

<http://sfgov.org/adultprobation>



JULY 12, 2012

*This page was left intentionally blank*



**WENDY S. STILL**  
Chief Adult Probation Officer

*Protecting the Community, Serving Justice and  
Changing Lives*

---

Dear Community and Justice Partners,

The Public Safety Realignment Act of 2011 (AB109) launched a new era of community supervision and community corrections in California. As of October 1, 2011, significant changes were made to community supervision and sentencing for those convicted of low-level felony offenses in the State. Under Realignment, individuals serving time in State Prison for a non-serious, non-violent, non-sex offense are now placed on Post Release Community Supervision (PRCS), administered by the San Francisco Adult Probation Department (APD). In addition, individuals convicted of certain felony offenses now serve their time in County Jail instead of State Prison, and a subset of these individuals are under Mandatory Supervision, administered by APD, upon their release.

These changes are an immense opportunity for the City and County of San Francisco, and all California counties, to reduce the overreliance on incarceration through the implementation of collaborative and evidence-based community supervision and support. By so doing, we can improve public safety, reduce incarceration costs, and provide individuals with a permanent exit from the criminal justice system. Breaking the intergenerational cycle of incarceration is vital to strengthening our communities and making them safe for all of us. San Francisco's response to Realignment has done just that.

Criminal justice and social service agencies, along with community based organizations, have worked together to create and implement plans and programs to serve and supervise the individuals on PRCS and those sentenced to County Jail and/or Mandatory Supervision. Our specialized supervision and targeted services support this population to successfully reintegrate to communities and to stop the revolving door cycle of prison and incarceration. While much work is yet to be done, San Francisco is off to a very promising start. Counties across the State are looking to San Francisco as a model for Realignment implementation, inter-agency collaboration, and the integration of Evidence Based Practices into community supervision.

In order to continue to refine and improve our implementation of Realignment in San Francisco, it is vital that we monitor and understand its impacts. This report, *The Impact of Public Safety Realignment: The First Six Months* provides an initial snapshot of Realignment implementation from October 1, 2011 through March 31, 2012 in San Francisco, highlighting the impact felt by APD as a result of Realignment. I look forward to continued collaboration as we complete the first full year under Public Safety Realignment in California.

Respectfully,

A handwritten signature in black ink that reads "Wendy S. Still". The signature is written in a cursive, flowing style.

Wendy S. Still, MAS  
Chief Adult Probation Officer



JULY 12, 2012

*This page was left intentionally blank*



JULY 12, 2012

## TABLE OF CONTENTS

I.	San Francisco Adult Probation Department’s Mission, Vision, and Values.....	1
II.	Introduction .....	3
III.	Community Corrections Performance Incentive Act of 2009 (SB678) .....	5
IV.	Public Safety Realignment Act of 2011 (AB109).....	7
V.	Summary of San Francisco’s Realignment Populations.....	9
VI.	PRCS Client Characteristics .....	13
VII.	Characteristics of Individuals Sentenced Under § 1170(h)(5)(a) and § 1170(h)(5)(b) .....	21
VIII.	PRCS Sanctions – Flash Incarcerations, Violations, and Warrants .....	27
IX.	Mandatory Supervision Sanctions .....	29
X.	Service Referrals .....	31
XI.	Contact Activities .....	33
XII.	Client Feedback.....	35
XIII.	Looking Ahead.....	37



JULY 12, 2012

## List of Figures

Figure 1: Realignment Populations by Month.....	9
Figure 2: Actual Number Released to PRCS Compared to CDCR Projections.....	11
Figure 3: Active PRCS Clients by Age at Release from CDCR .....	14
Figure 4: Race and Ethnicity of Active PRCS Clients .....	14
Figure 5: Assessed Risk Level of Active PRCS Clients.....	15
Figure 6: Type of Most Serious Prior Felony Conviction of Active PRCS Clients .....	16
Figure 7: Active PRCS Clients' Zip Code of Residence.....	18
Figure 8: Homeless Active PRCS Clients by Reported Zip Code.....	19
Figure 9: § 1170(h) Sentences by Month .....	21
Figure 10: Race of Those Sentenced under § 1170(h) .....	22
Figure 11: Offenses of Those Receiving Split Sentences under § 1170h(5)(b).....	23
Figure 12: Those Receiving § 1170h(5)(b) Split Sentences by Age at Sentencing.....	24
Figure 13: Assessed Risk Level of Active Mandatory Supervision Clients .....	25
Figure 14: Active Mandatory Supervision Clients' Zip Code of Residence .....	26
Figure 15: Reasons for PRCS PC § 3455 Violations Issued.....	28
Figure 16: APD Probation Officer Contacts with PRCS and 1170(h) Clients, by Month .....	33
Figure 17: Total Contacts and Attempted Contacts with PRCS and 1170(h) Clients, by Type of Contact .....	34

## List of Tables

Table 1: Actual Number of Individuals Sentenced to County Jail Compared to CDCR's Estimates.....	10
Table 2: Active PRCS Clients by CDCR Facility of Release .....	17
Table 3: § 1170(h) Sentence Lengths, October 2011 – March 2012 .....	22
Table 4: Mandatory Supervision Sanctions .....	29
Table 5: New Realignment-Related Services Launched .....	31



JULY 12, 2012

## **I. San Francisco Adult Probation Department's Mission, Vision, and Values**

### **Mission**

Protecting the Community, Serving Justice and Changing Lives

### **Vision**

The San Francisco Adult Probation Department achieves excellence in community corrections, public safety, and public service through the integration of evidence based practices and a victim centered approach into our supervision strategies. We collaborate with Law Enforcement, Courts, Department of Public Health, victim organizations and community based organizations to provide a unique blend of enforcement, justice, and treatment. We are leaders in our profession, exemplifying the highest standards. We extend a continuum of integrated services to address our probationers' criminogenic needs and empower them to become productive, law-abiding citizens.

### **Values**

#### **P.R.O.T.E.C.T. Our Community**

**Protect:** We value protection of the residents of the City and County of San Francisco.

**Respect:** We value respect and personal wellness for ourselves, each other and all members of the community.

**Opportunities:** We value providing opportunities for offender rehabilitation, improved public safety, victim restoration, and maximizing officer and employee potential.

**Teamwork:** We value teamwork and cooperation through partnerships with all justice and community stakeholders.

**Ethics:** We value impartiality, accountability, diversity, professionalism and a strong work ethic.

**Commitment:** We value our commitment to Public Safety and Public Service.

**Trust:** We value the trust placed in us by the public we serve and perform our duties with integrity and possess the skills set unique to our profession through systemic integration of evidence-based principles.



JULY 12, 2012

*This page was left intentionally blank*



JULY 12, 2012

## II. Introduction

The Public Safety Realignment Act of 2011 (AB109) transferred responsibility for many individuals convicted of lower-level felony offenses from the State to counties. In the City and County of San Francisco, Realignment has required a coordinated response from several agencies, including the Adult Probation Department (APD), Sheriff's Department, District Attorney, Public Defender, Department of Public Health, and others. Prior to AB109 going into effect on October 1, 2011, the State provided projected estimates of the number of people each county would receive as a result of changes to community supervision and felony sentencing. However, it soon became clear in San Francisco that these projections were lower than the actual impact felt by the County's criminal justice agencies. This report, therefore, provides the first summary of the impact of Realignment in San Francisco, focusing on the first six months of Realignment implementation, from October 1, 2011 through March 31, 2012, and its impact on APD. For information on the Realignment's impacts on other San Francisco departments, please see the *City and County of San Francisco's Public Safety Realignment and Post Release Community Supervision 2012 Implementation Plan*. (<http://sfgov.org/adultprobation>)



JULY 12, 2012

*This page was left intentionally blank*



JULY 12, 2012

### **III. Community Corrections Performance Incentive Act of 2009 (SB678)**

San Francisco's response to Realignment implementation is best understood in the context of other recent statewide changes to community corrections, specifically the Community Corrections Performance Incentive Act of 2009 (SB678). SB678 created the Community Corrections Partnership (CCP), chaired by the Chief Adult Probation Officer and composed of criminal justice and social service agencies and community based organization. In addition, SB678 provides incentives to counties for using evidence-based practices in probation supervision. The incentive grants are based on the reduction a county achieves in the number of felony probationers sent to State Prison on revocations.

Since 2009, San Francisco decreased the number of individuals sent to State Prison on a probation revocation by 48 percent, from 256 individuals in 2009 to 133 in 2011, with further reductions seen in the first quarter of 2012 as well. As a result of this decrease, APD received SB678 performance incentive grants of \$2.187 million in FY 2011/12 and FY 2012/13. These grants are being invested in increasing service capacity for substance abuse services, housing, education, parenting, and other critical service and treatment needs.



JULY 12, 2012

*This page was left intentionally blank*



JULY 12, 2012

#### **IV. Public Safety Realignment Act of 2011 (AB109)**

In an effort to address overcrowding in California's prisons and assist in alleviating the State's financial crisis, the Public Safety Realignment Act (AB109) was signed into law on April 4, 2011. Amended by AB117, signed into law on June 28, 2011, and SB1021 and 1023, which both went into effect on July 1, 2012, Public Safety Realignment transfers responsibility for supervising specified lower-level felony inmates and parolees from the California Department of Corrections and Rehabilitation (CDCR) to counties. Implementation of the Public Safety Realignment Act began on October 1, 2011.

AB109 and AB117 (2011) established an Executive Committee of the Community Corrections Partnership (CCP) charged with the development of an annual plan to implement Realignment, for consideration and adoption by the Board of Supervisors (PC § 1230.1). Chaired by the Chief Adult Probation Officer, the CCP Executive Committee developed the 2011 Implementation Plan, which was approved by the Board of Supervisors, as well as the 2012 Implementation Plan which is currently under consideration for approval by the Board of Supervisors.

When Realignment went into effect on October 1, 2011, the San Francisco Adult Probation Department was supervising approximately 6,200 probationers, 80 percent of whom were on probation for a felony offense. The California Department of Corrections and Rehabilitation reported 1,714 total parolees under supervision in San Francisco at that time.<sup>1</sup>

A summary of the major changes enacted by Public Safety Realignment is below.

Post Release Community Supervision (PC § 3450 - 3465): Individuals released from State Prison on or after October 1st who were serving sentences for non-serious, non-violent, non-sex offenses were released to Post Release Community Supervision (PRCS) which is administered by the Adult Probation Department. Prior to October 1st, these individuals would have been on State Parole. In San Francisco, PRCS revocations are heard in San Francisco Superior Court, and revocation and violation sentences are served in San Francisco County Jail. PC § 3451 - 3455 encourages the use of Evidence Based Practices in supervision of PRCS clients, including the use of graduated sanctions and flash incarcerations in County Jail for up to 10 days. PRCS cannot exceed a three-year term and those clients who are successful and remain violation-free can be eligible for early termination after 6 months. All PRCS clients who remain violation-free for 12 consecutive months are automatically terminated.

Parole Violations (PC § 3000.08 – 3000.09): Individuals released from State Prison on or after October 1st who were serving a sentence for a serious, violent, or sex offense continue to be

---

<sup>1</sup> "Table 1 - Parole Counts for Parole Statuses (Parolee, PAL, PRTC, PENDREV) by Parole Region and Units for September 30, 2011." Offender Information Services Branch, CDCR, October 5, 2011.



JULY 12, 2012

released to State Parole. Parole violation hearings are still conducted by the Board of Parole Hearings. Parole violation sentences are no longer served in State Prison, but in San Francisco County Jail for up to 180 days. After July 1, 2013 the revocation process will work the same for parole as it does for PRCS.

Redefining Felonies (PC § 1170): Individuals convicted of certain felonies on or after October 1st may be sentenced to San Francisco County Jail, rather than State Prison, for more than 12 months. Per the sentencing judge's discretion, the sentences for eligible felonies can be served in County Jail ("straight jail sentences"), per § 1170(h)(5)(a), or split between time served in County Jail and time supervised by the Adult Probation Department under Mandatory Supervision ("split sentences"), per § 1170(h)(5)(b).

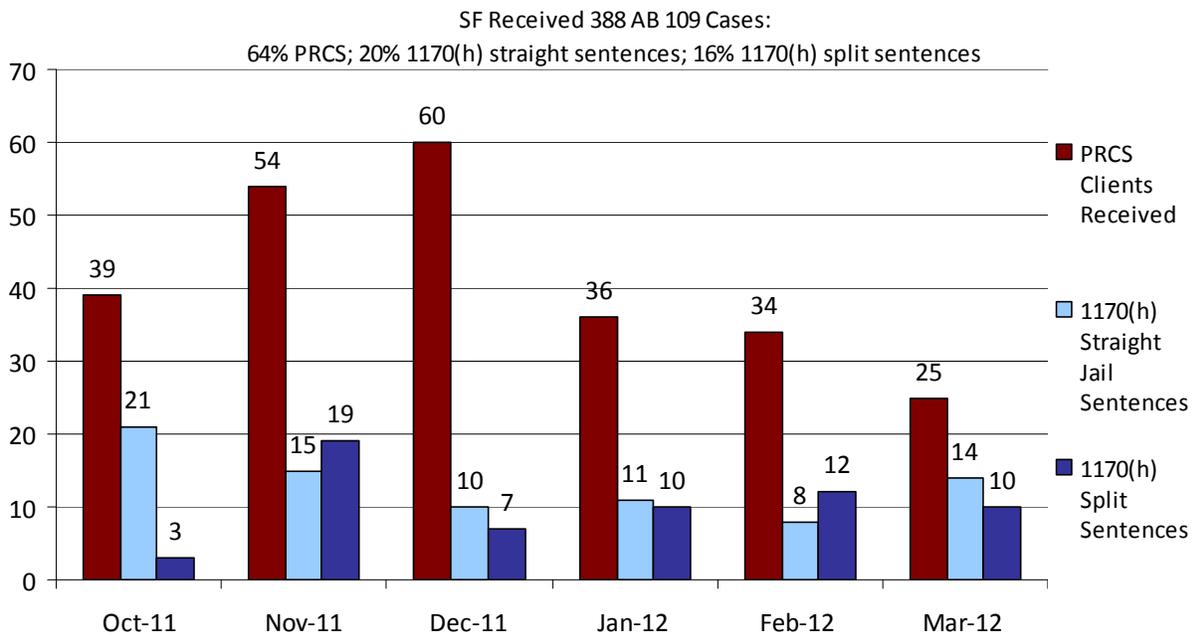


JULY 12, 2012

## V. Summary of San Francisco's Realignment Populations

During the first six months of Realignment implementation, from October 1, 2011 through March 31, 2012, San Francisco County received a total of 388 PRCS and 1170(h) cases. Of these, 248 (64%) were PRCS clients, 79 (20%) were 1170(h) straight jail sentences, and 61 (16%) were 1170(h) split sentences.

**Figure 1: Realignment Populations by Month**



Note: PRCS clients are counted in the month they are released from CDCR, 1170(h) sentenced individuals are counted in the month of their sentence.

Source: Adult Probation Department, San Francisco Superior Court

CDCR projected the number of State prisoners that were expected to be released to PRCS in San Francisco County, by the month of the individual's release from State Prison. San Francisco has consistently received more PRCS clients than CDCR projected. By March 31, 2012, San Francisco's PRCS population was 5 percent larger than CDCR projected it would be at that time.

CDCR also provided estimates of the impact of Realignment on local county jail populations. These included projections of the number of individuals expected to serve time in County Jail for 1170(h) sentences and parole violations. The following table summarizes CDCR's estimates of 1170(h) commitments and parole violators serving time in San Francisco County Jail compared



JULY 12, 2012

to the actual numbers of individuals received by the Sheriff's Department. In addition, those PRCS clients receiving a flash incarceration (30 flash incarcerations were issued to 25 individuals by the end of March 2012) or a violation sentence (26 violations were issued to 25 individuals) have served time in the County Jail, as discussed below.

**Table 1: Actual Number of Individuals Sentenced to County Jail Compared to CDCR's Estimates**

	New Admissions to County Jail per PC § 1170 (h)		Parole Violators with New Terms per PC § 3056		
	CDCR Estimates*	Actual	CDCR Estimates*	Actual Number of Violations per Month	Actual Number of Parolees in County Jail by Month
<b>October 2011</b>	8	22	0	49	49
<b>November 2011</b>	10	21	0	89	138
<b>December 2011</b>	7	14	1	98	219
<b>January 2012</b>	9	23	1	101	270
<b>February 2012</b>	14	12	1	115	198
<b>March 2012</b>	18	21	2	99	221
<b>Total</b>	<b>66</b>	<b>113</b>	<b>5</b>	<b>551</b>	

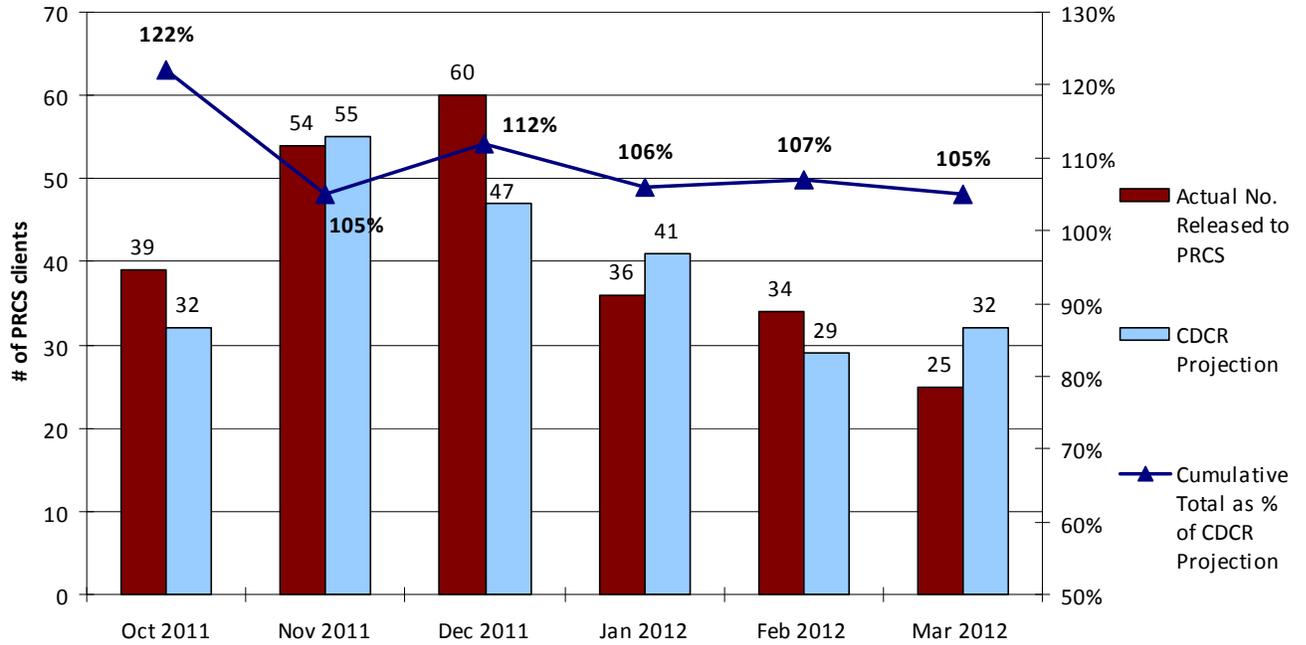
Source: Sheriff's Department, May, 2012 and CDCR estimates  
 (<http://www.cdcr.ca.gov/realignment/docs/AB109-Impact-by-County-eff-Oct-11.pdf>)



JULY 12, 2012

**Figure 2: Actual Number Released to PRCS Compared to CDCR Projections**

By March 31, 2012, SF's PRCS Population was 105% of CDCR's Projection



Note: PRCS clients are counted in the month they are released from CDCR.

Source: Adult Probation Department, CDCR's Revised PRCS projections, as of Nov 30, 2011.



JULY 12, 2012

*This page was left intentionally blank*



JULY 12, 2012

## VI. PRCS Client Characteristics

Per PC § 3451, CDCR is to provide local probation departments with pre-release packets on PRCS clients at least 30 days prior to their release from State Prison. These pre-release packets can include: criminal history information, employment plans, case worker evaluations, medical/psychological/psychiatric assessments and needs, narcotics history, social factors and family information, county of last residence, pre-sentence reports, and information on the sentence being served. By the end of March 2012, APD had received packets for 364 individuals from CDCR, 15 of which were found to be ineligible for PRCS, 16 of which were transferred to another county, and 98 of which were pending eligibility determination or seeking a transfer to another county. Another 53 were not yet released from CDCR custody as of March 31<sup>st</sup>. On average, CDCR provided the packets to APD 49 days prior to the individuals' release from CDCR custody to PRCS.

EIGHTY-FOUR PERCENT OF SAN FRANCISCO'S PRCS POPULATION REPORTED TO APD WITHIN TWO DAYS OF RELEASE FROM STATE PRISON. OVERALL, 95% OF THOSE RELEASED TO PRCS IN SAN FRANCISCO REPORTED TO SF APD.

Of the 247 PRCS clients who were released from CDCR and received by APD through March, 2012, 11 had ICE holds and two had federal holds. An additional eight individuals were released to PRCS after being returned to custody on parole violations and completed their parole terms on PRCS during this time period. The remaining 235 individuals make up the active PRCS caseload as of March 31, 2012. Eighty-four percent of active PRCS clients, 198 individuals, reported to

APD within two days of their release from CDCR custody. Another 25 reported later, for a total reporting rate of 95 percent.

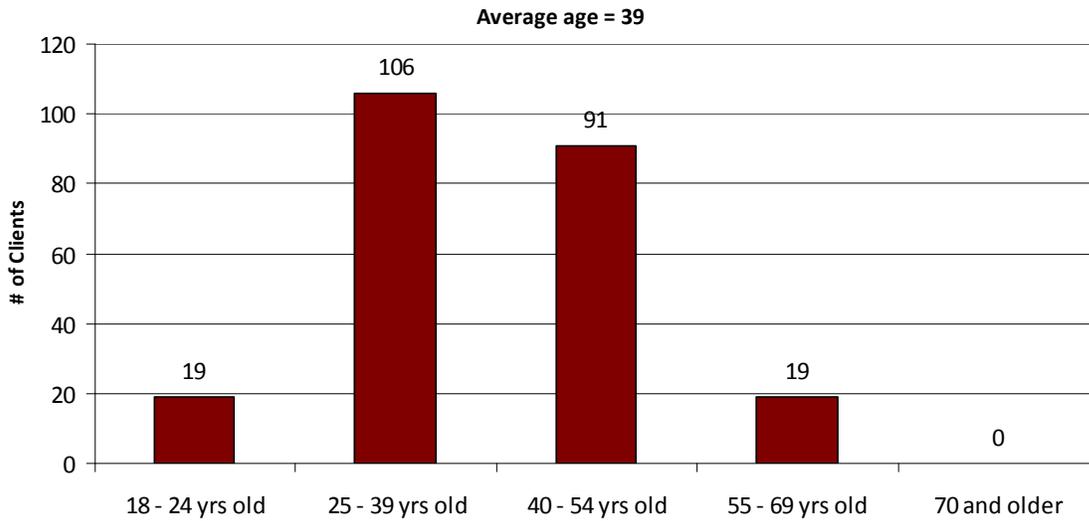
Of the 235 active PRCS clients, 219 (93%) are male and 16 (7%) are female. The average age upon release from CDCR of male PRCS clients during this time period was 40 years old, while the average age of female PRCS clients was 35. Of all PRCS clients, 106 (45%) were between 25 and 30 years old and 91 (39%) were between 40 and 54 years old. The youngest PRCS client released during this time was 21 and the oldest was 64 years old. A majority (141 or 60%) of PRCS clients were black, while 19% (45) were white, and 14% (33) were Hispanic.<sup>2</sup>

<sup>2</sup> The age and gender information reported here is according to the information and categories provided by CDCR. Race and ethnicity is as recorded by APD's Probation Officers during client intake.



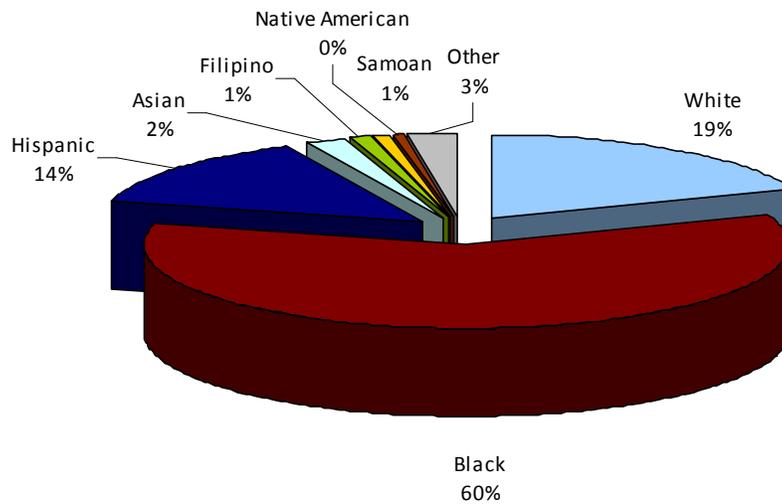
JULY 12, 2012

**Figure 3: Active PRCS Clients by Age at Release from CDCR**



Source: CDCR Pre-Release Packets provided to APD.

**Figure 4: Race and Ethnicity of Active PRCS Clients**



Source: SF Adult Probation Department

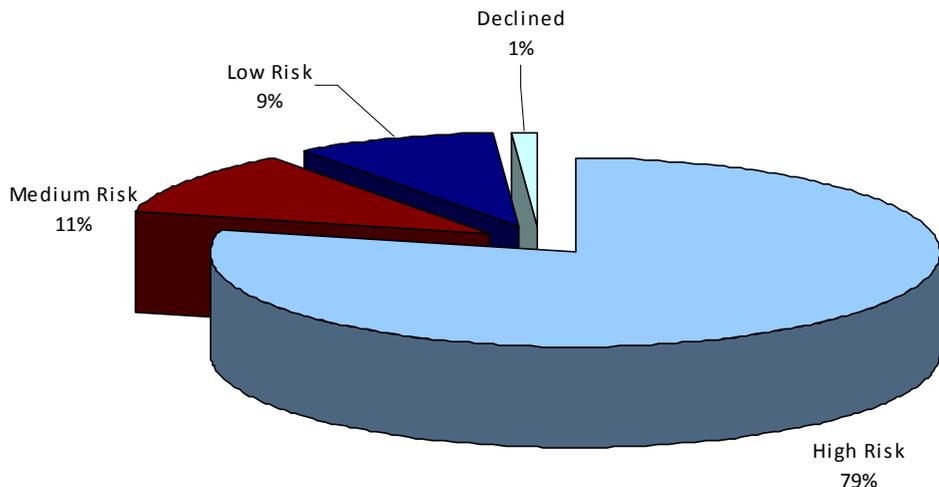


JULY 12, 2012

Active PRCS clients, as of March 31, 2012, had an average of 8 prior felony convictions in California. Thirty-seven percent of these clients had 6 to 10 prior felony convictions in California and 22% had 11 or more prior felony convictions. Seventy-six active PRCS clients (33%) have a violent crime as their most serious prior conviction, 36 (16%) have a weapons-related crime as their most serious prior, and 5 (2%) have a sex crime as their most serious prior. Together, 51% of active PRCS clients had a serious violent, weapons, or sex crime as their most serious prior felony conviction in California. Therefore, although only those released from State Prison after completing a sentence for a non-serious, non-violent, and non-sex offense conviction are released to PRCS, a majority have been convicted of one or more of these serious crimes in the past.

APD's probation officers complete a risk and needs assessment for PRCS clients either prior to their release from State Prison or upon reporting for PRCS. The risk assessment tool used, COMPAS, provides an assessment of an individual's likelihood of re-offending based on social resources, personal factors, criminogenic needs, and criminal history. Of the assessments completed for PRCS clients, 79 percent are assessed as high risk, 11 percent as medium risk, and 9 percent as low risk.

**Figure 5: Assessed Risk Level of Active PRCS Clients**

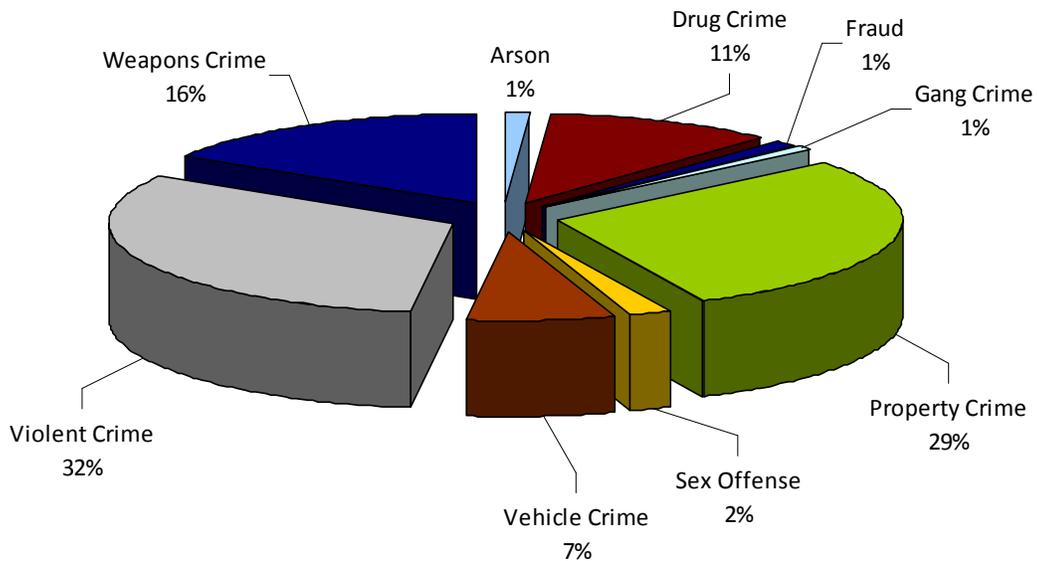


Source: APD's Case Management System



JULY 12, 2012

**Figure 6: Type of Most Serious Prior Felony Conviction of Active PRCS Clients**



Source: CDCR Pre-Release Packets provided to APD.

MOST PRCS CLIENTS (75 PERCENT) WERE IN CDCR CUSTODY FOR LESS THAN ONE YEAR PRIOR TO THEIR RELEASE.

PRCS clients supervised by APD come to the County from CDCR facilities across the State. Most clients (177 clients, 75%) had been in custody for less than one year prior to their release to PRCS, with the overall average length of time in custody at 355 days. Additionally, seven clients transferred to San Francisco from another county during this time period and five were court walkovers, who were required by a judge or parole officer to report to PRCS from court or local custody rather than from a CDCR facility.



JULY 12, 2012

**Table 2: Active PRCS Clients by CDCR Facility of Release**

CDCR Facility	Location	Distance from SF (miles)	PRCS Clients Released from Facility:	
			Number	%
California State Prison, San Quentin	San Quentin	25	111	48%
California Correctional Center	Susanville	285	19	8%
Valley State Prison for Women	Chowchilla	155	16	7%
Deuel Vocational Institution	Tracy	70	14	6%
Folsom State Prison	Represa	110	13	6%
California Medical Facility	Vacaville	55	10	4%
Correctional Training Facility	Soledad	130	5	2%
California State Prison, Sacramento	Represa	110	7	3%
California State Prison, Solano	Vacaville	55	3	1%
Sierra Conservation Center	Jamestown	125	5	2%
Avenal State Prison	Avenal	200	4	2%
High Desert State Prison	Susanville	270	4	2%
North Kern State Prison	Delano	265	2	1%
CA Substance Abuse Treatment Facility	Corcoran	240	5	2%
Pelican Bay State Prison	Crescent City	360	2	1%
California Rehabilitation Center	Norco	430	3	1%
Salinas Valley State Prison	Soledad	130	2	1%
California Institution for Women	Corona	420	2	1%
California Men's Colony	San Luis Obispo	235	2	1%
California State Prison, Corcoran	Corcoran	240	2	1%
California Correctional Institution	Tehachapi	330	1	<1%
California Institution for Men	Chino	415	1	<1%

Source: CDCR Pre-Release Packets provided to APD

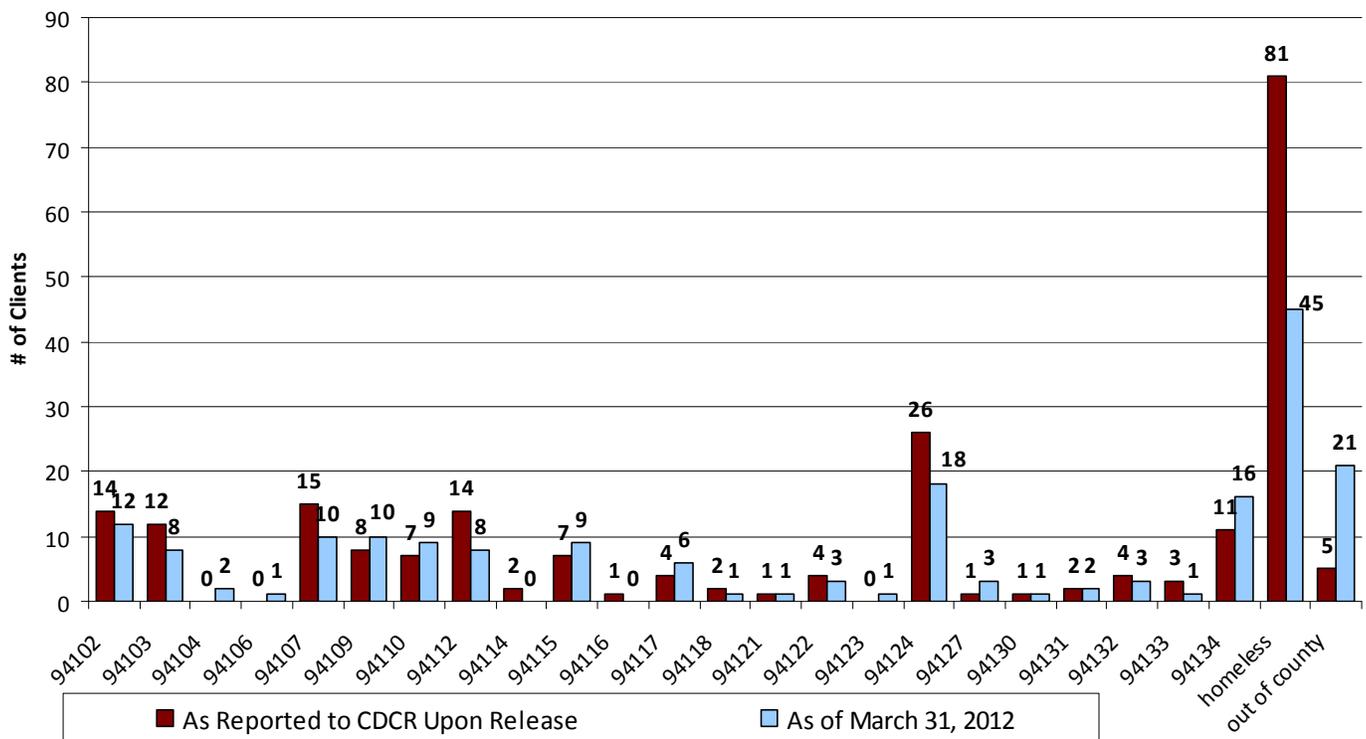
PRCS clients report residence information to CDCR upon release from custody. At that time, 81 clients (35%) reported being homeless and 5 clients (2%) reported an address outside of San Francisco County. Of those reporting a San Francisco address, most reported plans to live in the following zip codes: 94124 (26 clients, 11%); 94107 (15 clients, 6%); 94112 (14 clients, 6%); 94102 (14 clients, 6%); and 94103 (12 clients, 5%).



JULY 12, 2012

After being released from CDCR, many clients move and/or find more stable housing. Figure 7 below shows the zip code of residence of PRCS clients as reported to CDCR upon release to PRCS and then as reported to APD post-release.

**Figure 7: Active PRCS Clients' Zip Code of Residence**



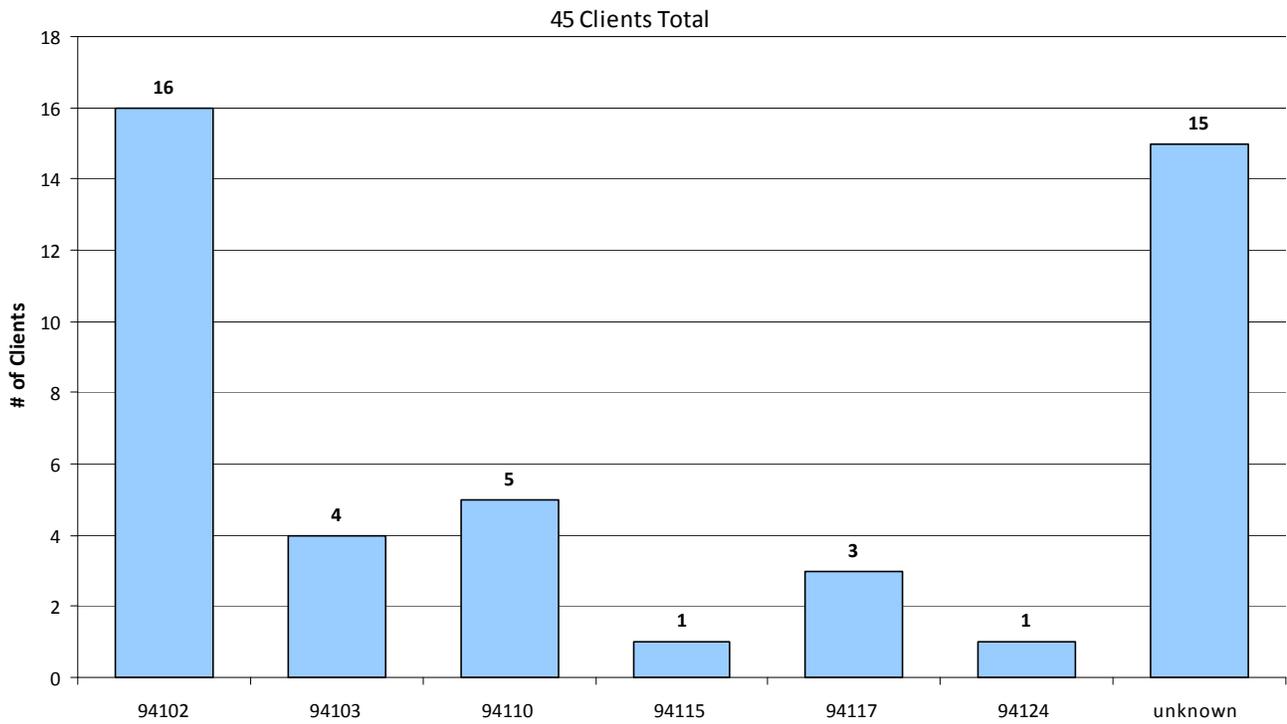
Note: Figure 7 does not include those clients who have not reported residential information. Those reporting being homeless but also reporting a zip code of residence are counted in their relevant zip code. Those reporting being homeless and not reporting a zip code of residence are counted as homeless.

Source: CDCR Pre-Release Packets provided to APD and SF Adult Probation Department.



JULY 12, 2012

**Figure 8: Homeless Active PRCS Clients by Reported Zip Code**



Source: SF Adult Probation Department.



JULY 12, 2012

*This page was left intentionally blank*

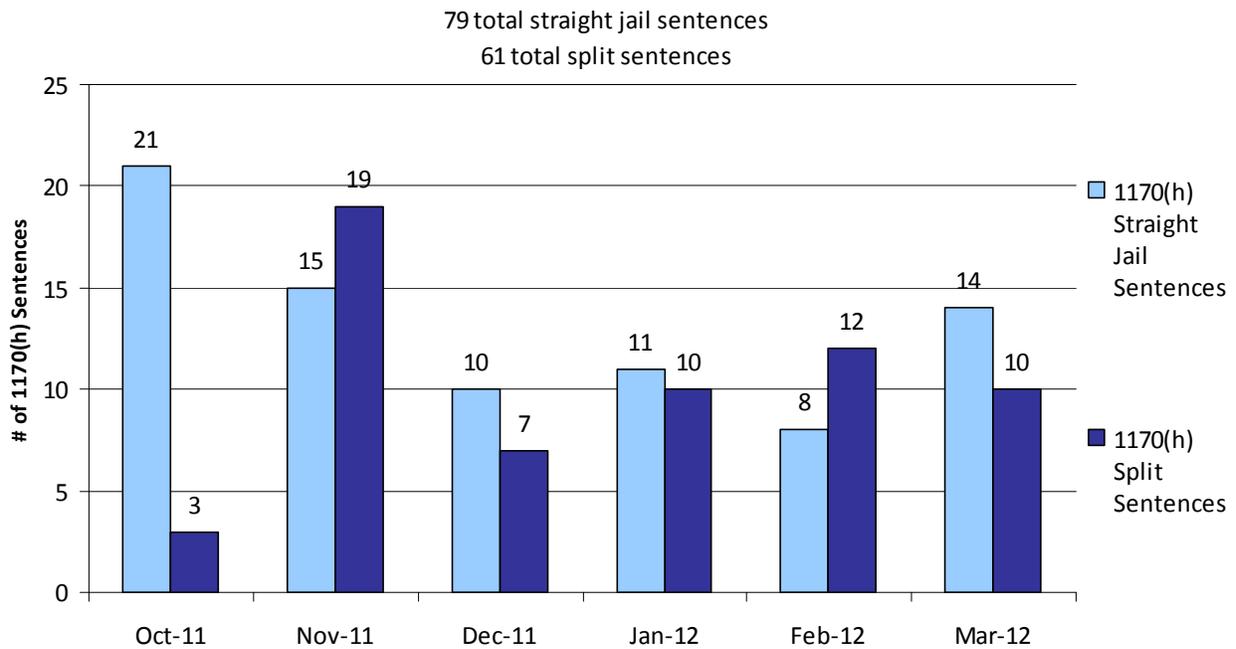


JULY 12, 2012

**VII. Characteristics of Individuals Sentenced Under § 1170(h)(5)(a) and § 1170(h)(5)(b)**

During the period from October 1, 2011 through March 31, 2012, a total of 140 individuals were sentenced under § 1170(h) sentencing guidelines, with 79 (56%) sentenced to straight jail sentences under § 1170(h)(5)(a) and 61 (44%) sentenced to split sentences under § 1170(h)(5)(b).

**Figure 9: § 1170(h) Sentences by Month**



Source: San Francisco Superior Court



JULY 12, 2012

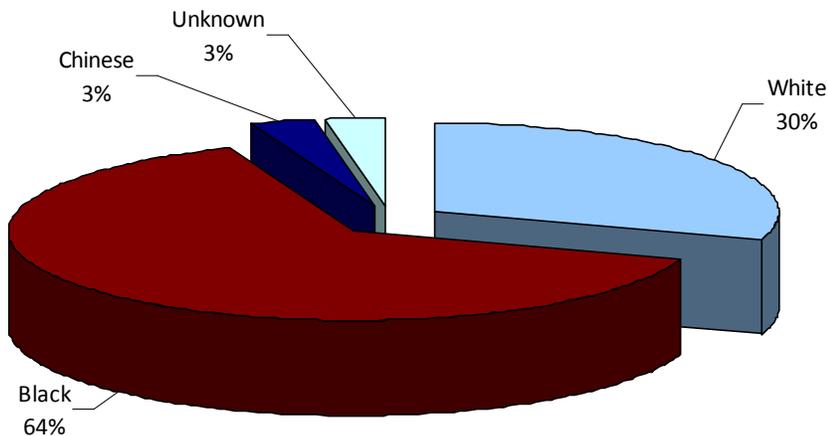
**Table 3: § 1170(h) Sentence Lengths, October 2011 – March 2012**

	Total Number of Sentences	Average Sentence Length (months)	Average Time Served, with CTS* (months)	Low Sentence Length (months)	High Sentence Length (months)
Straight Jail Sentences	79	24	5	6	48
Split Sentences	61	37	26	16	108
County Jail Sentence		13	2	0	55
Mandatory Supervision Sentence		24	NA	1	78

\* Credit for Time Served, eligible for PC4019 credits equal to two credits for every day served.  
 Source: San Francisco Superior Court

Of the 140 individuals sentenced under § 1170(h), 125 (89%) are male and 15 (11%) are female. According to the race/ethnicity data recorded in the Superior Court’s Court Management System, 90 of these individuals (30%) are Black, 42 (30%) are White, 4 (3%) are Chinese, and 4 (3%) are recorded as unknown.<sup>3</sup>

**Figure 10: Race of Those Sentenced under § 1170(h)**



Source: San Francisco Superior Court

<sup>3</sup> Demographic information reported here is based on the information and categories recorded in the SF Superior Court’s Court Management System, which records race but not ethnicity. Hispanic/Latino individuals are therefore reported within the racial categories shown above.

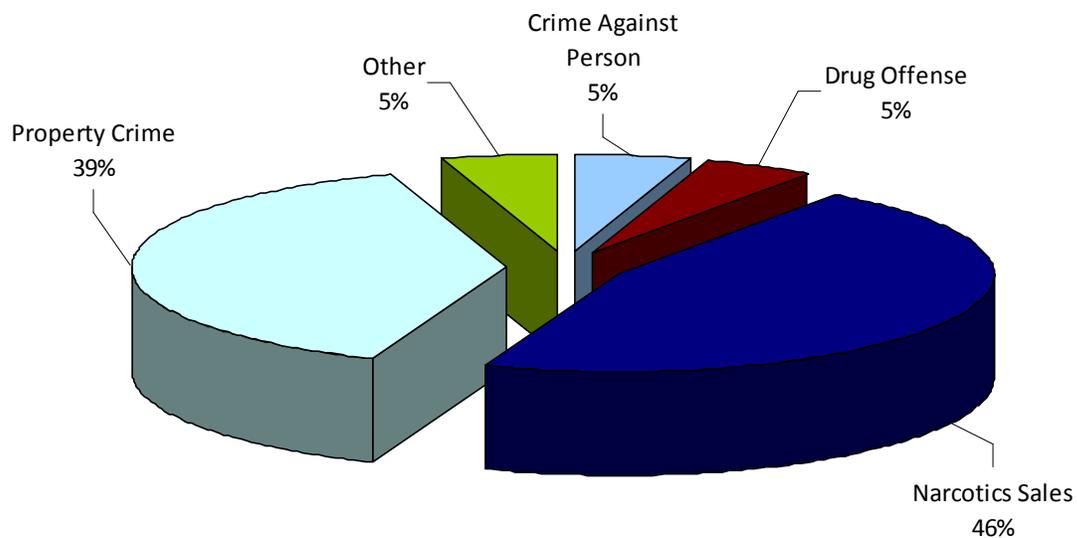


JULY 12, 2012

Of those 61 individuals receiving split sentences during this time period and therefore those who were or were going to be on Mandatory Supervision with APD, a majority (28 clients, 46%) were convicted of a narcotics sales crime. An additional 24 clients (39%) were convicted of a property crime, with the remainder convicted of crimes against a person, a drug offense, or another crime.

The average age of those sentenced to Mandatory Supervision was 38 years old, with males averaging 39 and females averaging 32 years old. The majority (29 clients, 48%) were between 25 and 39 years old.

**Figure 11: Offenses of Those Receiving Split Sentences under § 1170h(5)(b)**

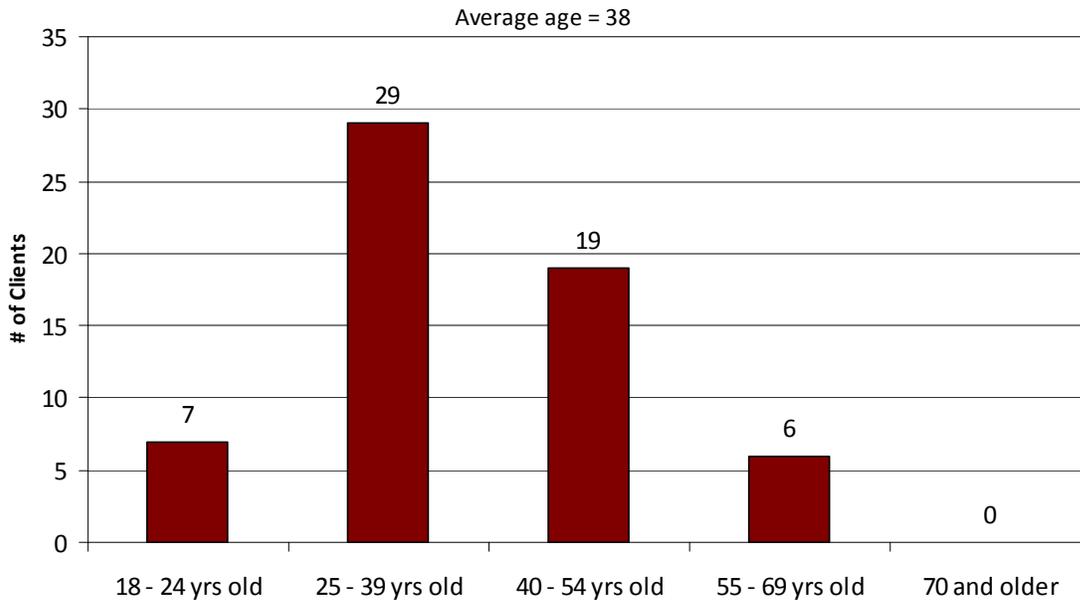


Source: San Francisco Superior Court



JULY 12, 2012

**Figure 12: Those Receiving § 1170h(5)(b) Split Sentences by Age at Sentencing**



Source: San Francisco Superior Court

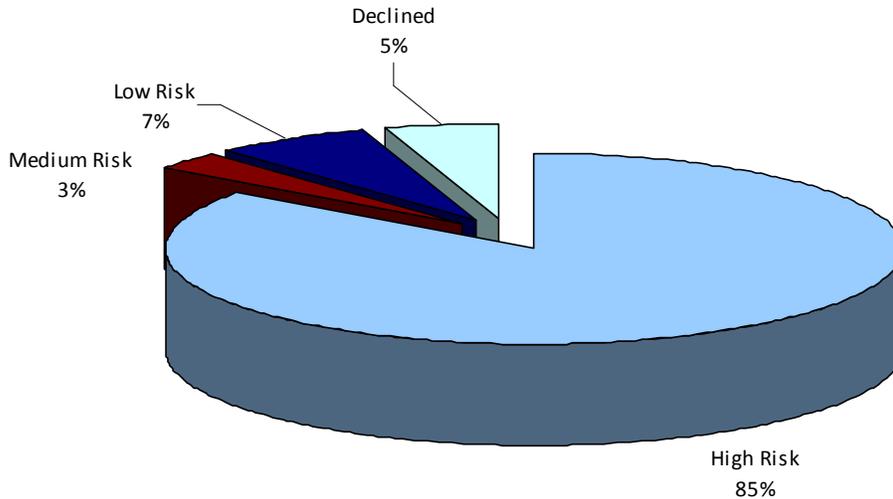
Of the 61 individuals receiving § 1170(h)(5)(b) split sentences during this time period, 43 were released from County Jail and began serving their Mandatory Supervision sentence prior to March 31, 2012. Twenty-one of these individuals served no additional time in County Jail after sentencing, as their jail sentence was deemed served with their Credits for Time Served (CTS) prior to sentencing. Three of the 43 individuals who began Mandatory Supervision during this time period completed their Mandatory Supervision sentence prior to March 31, 2012.

Of the active Mandatory Supervision clients supervised by APD, 86 percent were assessed as high risk, 3 percent as medium risk and 7 percent as low risk for re-offending.



JULY 12, 2012

**Figure 13: Assessed Risk Level of Active Mandatory Supervision Clients**



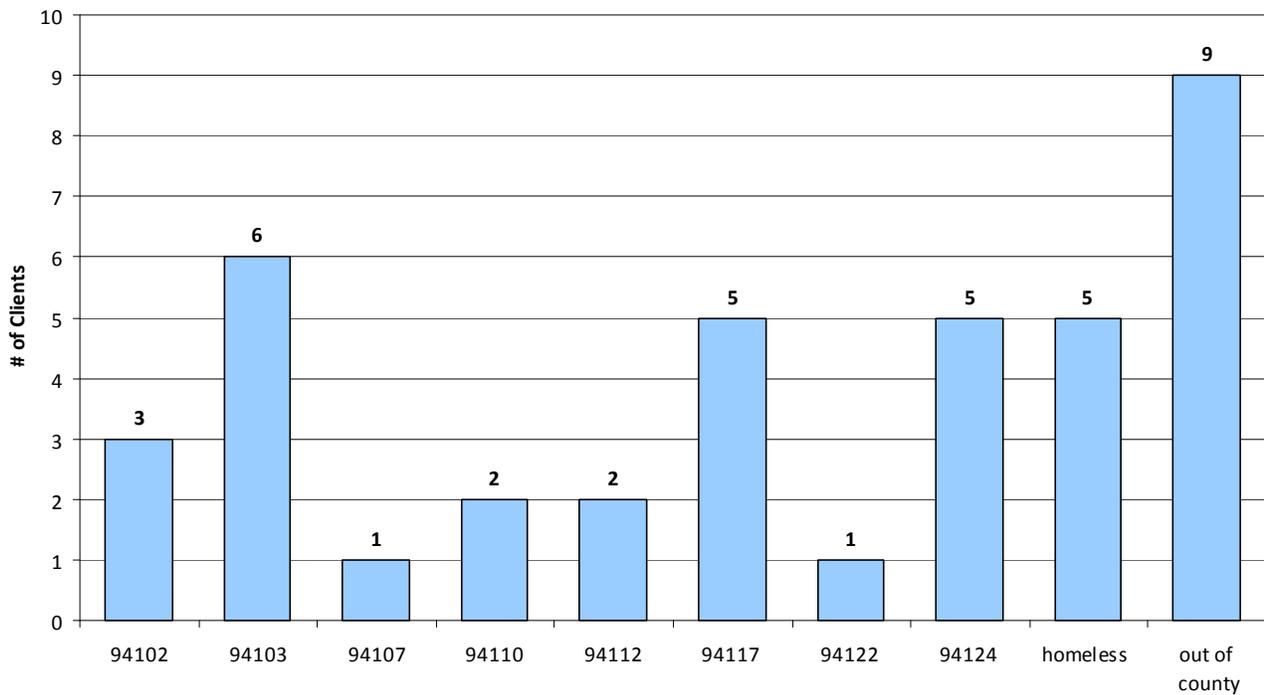
*Source: APD Case Management System*

Of those active Mandatory Supervision clients during this time period, nine (21%) reported living outside of San Francisco County, five (12%) reported being homeless, six (14%) reported living in the 94103 zip code, and five (12%) each reported living in the 94117 and 94124 zip codes. The distribution of clients by their reported zip code of residence is summarized below.



JULY 12, 2012

**Figure 14: Active Mandatory Supervision Clients' Zip Code of Residence**



Note: Figure 14 does not include those clients who have not reported residential information.

Source: SF Adult Probation Department



JULY 12, 2012

### **VIII. PRCS Sanctions – Flash Incarcerations, Violations, and Warrants**

As of March 31, 2012, APD had issued 30 flash incarcerations on 25 individuals (11% of the active PRCS caseload), 21 males and 4 females. PC § 3454 grants probation departments the authority to impose flash incarcerations on PRCS clients for up to 10 days, to be spent in County Jail. The average length of the flash incarcerations imposed during this time period was 9 days. While PC § 3454 is silent in regards to ensuring a client's right to due process and to legal representation during the flash incarceration process, APD collaborated with the Public Defender, the District Attorney, ACLU, and Rosen Bien and Galvin, LLP to establish protocols for ensuring the right to a hearing and an attorney for individuals receiving a flash incarceration. This protocol is being recommended to other counties as a best practice. During the first six months of Realignment implementation, no clients receiving flash incarcerations requested an attorney consult or a hearing. APD and partner agencies meet regularly to monitor this process.

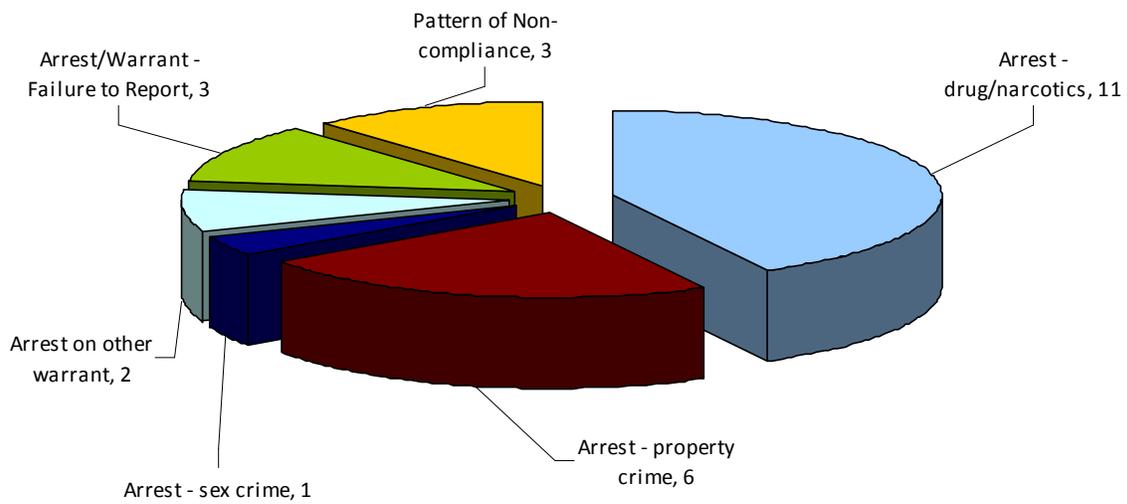
Under the system of graduated sanctions employed by APD, a flash incarceration is the least severe sanction followed by a formal violation charge (PC § 3455). Per PC § 3455, the PRCS supervising agency, APD in San Francisco, has the sole authority to file a violation or revocation of PRCS and return the individual to local custody for up to 180 days. During this time period, APD issued 26 violations to 25 PRCS clients (11% of active clients), all of whom were male. The average length of stay in County Jail on these violations was 56 days. Eleven (42%) of the 26 violations were issued for drug/narcotics arrests, six (23%) were issued for property crime arrests, three (12%) for a pattern of non-compliance, and three (12%) for failure to report to APD.



JULY 12, 2012

**Figure 15: Reasons for PRCS PC § 3455 Violations Issued**

26 Total Violations



Source: SF Adult Probation Department



JULY 12, 2012

## IX. Mandatory Supervision Sanctions

Of the 43 active Mandatory Supervision clients during this time period, sanctions were issued for 20 individuals, or 47 percent of the total cases. These sanctions include issuing arrest warrants, issuing Motions to Revoke Mandatory Supervision (MTR-MS), and arresting individuals on a new charge.

**Table 4: Mandatory Supervision Sanctions**

Number of warrants issued	16
Number of individuals with one or more warrant	13 (30% of all MS clients)
Number of MTR-MS issued	21
Number of individuals with one or more MTR-MS	18 (41% of all MS clients)
Number of arrests for new charges	22
Number of individuals arrested for new charges	17 (40% of all MS clients)

*Source: SF Adult Probation Department*



JULY 12, 2012

*This page was left intentionally blank*



JULY 12, 2012

## X. Service Referrals

In order to meet the needs of PRCS and 1170(h) Mandatory Supervision clients, APD established and expanded several partnerships with local service providers. On Saturday, October 1, 2011, APD and DPH's Behavioral Health Access Center (BHAC) were prepared to receive referrals of PRCS clients in need of behavioral and physical health care. BHAC provides secondary assessments, benefits assessment and enrollment, and connection to residential, outpatient, detoxification, and other interventions. Other services were launched after establishing the referral and contracting mechanisms between APD and the service providers and, where applicable, the County agency administering the contract. The following table summarizes the Realignment-focused service providers and programs launched by APD from October 1, 2011 through the end of March 2012. APD probation officers refer clients to these services as quickly as the programs are rolled out.

**Table 5: New Realignment-Related Services Launched**

<b>New Service Launched</b>	<b>Services Provided</b>	<b>Date Launched</b>
Behavioral Health Access Center / SF Department of Public Health	Assessment, treatment, and referrals for individuals with behavioral health disorders	October 1, 2011
Asian Neighborhood Design (contract administered by OEWD)	Green construction job training, job readiness skills, job placement and referral services	January 6, 2012
Hamilton Family Center (contract administered by HSA)	Rental subsidies and housing case management for job-ready or employed single adults	January 13, 2012
Emergency Stabilization Housing (administered by DPH/Housing and Urban Health)	Short-term stabilization housing in single-room occupancy residential hotel	March 1, 2012
Reentry SF (partnership with Haight-Ashbury Free Clinic/Walden House, Goodwill Industries, Youth Justice Institute, and Bayview Hunter's Point Senior Services)	Job readiness training, employment case management, barrier removal, and, when applicable, behavioral health treatment	March 26, 2012

*Source: SF Adult Probation Department*



JULY 12, 2012

*This page was left intentionally blank*

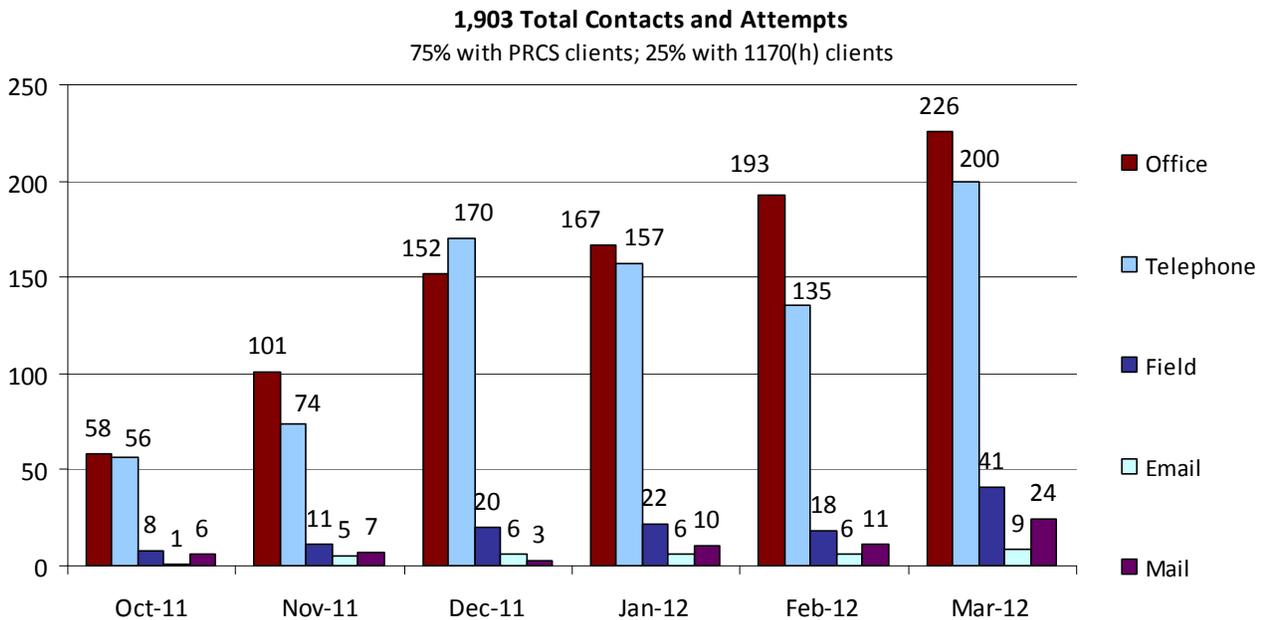


JULY 12, 2012

## XI. Contact Activities

During the six months from October 2011 through March 2012, APD's Deputy Probation Officers (DPOs) made a total of 1,880 contacts and attempted contacts with PRCS and 1170(h) clients by telephone, email, mail, field visits to the client's home or work, and APD office visits. Of these contacts, a majority took place in APD's office (47 percent) or by phone (42 percent). Of the PRCS and 1170(h) clients' appointments for an office visit with a DPO, eleven percent failed to report for their scheduled appointment. Overall, DPOs made an average of 317 contacts and attempted contacts per month, with the number of contacts increasing over this time period as the PRCS and 1170(h) caseload numbers increased.

**Figure 16: APD Probation Officer Contacts with PRCS and 1170(h) Clients, by Month**



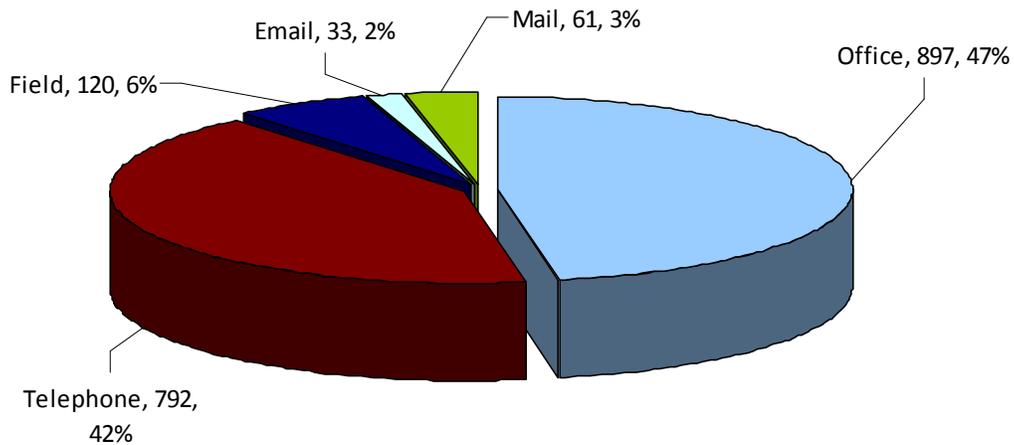
Source: SF Adult Probation Department



JULY 12, 2012

**Figure 17: Total Contacts and Attempted Contacts with PRCS and 1170(h) Clients, by Type of Contact**

1,903 Total Contacts and Attempts



Source: SF Adult Probation Department



JULY 12, 2012

## **XII. Client Feedback**

APD hosted three focus groups with individuals on PRCS, on 1170(h) Mandatory Supervision, and in custody in County Jail on 1170(h) sentences. The goal of these sessions was to solicit feedback about how Realignment is experienced on the individual level. In particular, participants were asked about their needs for services and resources and how these needs were or were not being met.

Participants of the focus groups offered input based on their experiences. In general, participants expressed confusion and frustration regarding their sentences and the conditions of their release and/or supervision, which could be attributed to uncertainties at the early implementation stages of Realignment. The following is a summary of the comments and recommendations gathered from the focus groups:

1. Provide basic emergency services such as clothes, food, and transportation immediately after release, especially for those released from County Jail.
2. Offer advanced skills and vocational classes for individuals who want to learn a trade and do not want to pursue a higher education degree. Offer more support for resume development and transitional job placement.
3. Offer social services including housing, parenting, family reunification, disability, and advocacy, guarantying services such as housing and disability assistance for clients who are permanently disabled.
4. Offer pre-release services (needs assessment and referrals) for everybody leaving County Jail, including those serving a straight sentence under 1170(h)(5)(a) without any community supervision requirements. Provide regular resource fairs in County Jails to make people being released aware of available services even if they will not be under any community supervision.
5. Individuals serving straight sentences under 1170(h) should have access to community programs or alternatives to incarceration, such as SWAP, Electronic Monitoring, and Home Detention, similar other County Jail detainees.
6. Ensure that clients on community supervision (PRCS and Mandatory Supervision) are reassessed for level of risk after a certain time and decrease intensity of supervision when appropriate.



JULY 12, 2012

7. Provide tangible incentives, such as reducing the intensity of supervision, to clients who are excelling. Inform individuals of what specific actions/behaviors are grounds for rewards or sanctions.



JULY 12, 2012

### **XIII. Looking Ahead**

When the Public Safety Realignment Act was signed into law in April 2011, California's counties had less than six months to develop an understanding of the changes it put into effect, a projection of what the impact of these changes would be, and a strategy for implementing these changes on October 1<sup>st</sup>. Now, with six months of Realignment implementation complete, this assessment covers its initial impact on San Francisco's community corrections and criminal justice agencies, as well as a snapshot of the individuals affected by Realignment in the City and County of San Francisco.

San Francisco's Community Corrections Partnership Executive Committee, led by the Adult Probation Department, has implemented a collaborative and comprehensive initial response to Realignment and will continue to expand and strengthen its Realignment initiatives, programs, and partnerships in the coming months. These will continue to be informed by the data presented in this report, as well as additional information currently being collected, such as the service needs and utilization rates of PRCS and 1170(h) clients. Moving forward, we will present regular reports on the impact of Realignment on San Francisco and the outcomes of the individuals affected.

By the end of the first year of Realignment implementation, several new initiatives will be launched to further expand the services and opportunities available to those coming out of State Prison to PRCS or out of County Jail on 1170(h) sentences and to further strengthen our community supervision practices. These include:

- Community Assessment Service Center (CASC) – modeled after day reporting centers emphasizing collaborative case management, the CASC will provide PRCS and Mandatory Supervision clients with comprehensive supervision, mental health, substance abuse, personal development, education, employment, parenting, and other services that build clients' self efficacy and self sufficiency.
- County Jail Reentry Pod – the Sheriff's Department, in partnership with APD, is creating a reentry housing unit within the County Jail in order to provide more direct, focused services to prisoners who will be released to PRCS or Mandatory Supervision, as well as those sentenced under 1170(h) with no community supervision requirements. This will allow APD officers to assist soon-to-be released prisoners in making the transition to the community through a needs assessment and preparation of individualized post-release treatment plan.
- Individual Treatment and Rehabilitation Plan (ITRP) – APD will continue to conduct COMPAS risk and needs assessments of all PRCS and Mandatory Supervision clients and will use these assessments to create ITRPs customized to each individual's unique



JULY 12, 2012

strengths and needs. The Sheriff's Department will acquire the necessary software and training on using the COMPAS assessment tool and will conduct assessments and create ITRPs for individuals in custody to plan for their reentry into the community.

- APD and the Sheriff's Department will be trained in Thinking for a Change, the National Institute for Correction's evidence based cognitive behavioral therapy curriculum for people involved with the criminal justice system. Staff of both agencies will be teaching classes for individuals inside jails and outside for those under community supervision.
- APD and partner agencies will continue to expand the direct services available to individuals on PRCS and Mandatory Supervision by seeking additional funding and augmenting existing programs that are proven to work, and developing new programs to meet unmet needs. Our partnerships with community based organizations are vital to the successful implementation of all of the Realignment services in San Francisco.

The Adult Probation Department looks forward to the continued implementation of Realignment, in partnership with all justice and community based agencies. APD will report regularly on the impacts of Realignment, strategies to respond to Realignment, and the impacts on public safety.